

**Public Works  
CITY OF AUSTIN**

**AGENDA** #22  
**DATE: 4/20/2006**

**RECOMMENDATION FOR  
COUNCIL ACTION**

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**Subject:** Approve an ordinance vacating that portion of the alley between University Avenue and Whitis Avenue and between Martin Luther King Boulevard (West) and 20th Street to the Board of Regents of the University of Texas System, to be incorporated into The University of Texas Executive Education and Conference Center development.

**Amount and Source of Funding:**

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

**Requesting Department:** PW

**For More Information:**

**Prior Council Action:**

**Boards and Commission Action:** Recommended by the Urban Transportation Commission and the Zoning and Platting Commission.

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The request for the vacation of the alley between University Avenue and Whitis Avenue has been submitted by James S. Wilson on behalf of The Board of Regents of the University of Texas (UT).

The area being requested for vacation will be incorporated into The University of Texas Executive Education and Conference Center development. All affected departments and franchise holders have reviewed this request and recommend approval. Property owners within 300 feet of the area to be vacated were notified of the proposed vacation on January 26, 2006. One objection was received (see attached).

The appraised value is \$461,003.00. It has been agreed that the purchase between the City and UT for this development would be partly in cash (\$230,501.50) and the remainder would be placed on the Property Exchange Agreement (Ledger Agreement). In March 1994, the City of Austin and the Board of Regents of The University of Texas agreed on a Property Exchange Agreement to enable the City and UT to purchase or sell real property between the two entities by entering the amount of the consideration on the ledger rather than having to separately fund for each transaction at the same time it is completed. There has not been any activity since 1999. A certified check in the amount of \$230,501.50 has been submitted to the Real Estate Services Division of the Public Works Department for processing upon approval of this request.

- 34. Amended Plat:** **C8J-06-0028.0A - Malone Addition Section 1, Amended Plat**  
Location: 10404 - 10408 Slaughter Creek, Slaughter Creek Watershed  
Owner/Applicant: Janna K. Banker  
Agent: Samuel D. McDaniel  
Request: Approval of the Malone Addition Section 1, Amended Plat composed of 2 lots on 1.871 acres.  
Staff Rec.: **DISAPPROVAL**  
Staff: Watershed Protection Development Review
- 35. Resubdivision:** **C8-06-0029.0A - Banister Acres, Resubdivision of Lots 6 & 7, Block 32**  
Location: Banister Ln. at Casey St., West Bouldin Watershed  
Owner/Applicant: Dean Barrera  
Agent: Vigil & Associates (Joel Richardson)  
Request: Approval of the Banister Acres, Resubdivision of Lots 6 & 7, Block 3 composed of 6 lots on 1.25 acres.  
Staff Rec.: **DISAPPROVAL**  
Staff: Watershed Protection Development Review
- 36. Revised Preliminary:** **C8-04-0033.01.SH - Zachary Scott Subdivision**  
Location: Bradshaw Road at Old Lockhart Highway, Onion Creek and Rinard Creek Watershed  
Owner/Applicant: Lennar Bufington Zachary Scott, LP (Hugo Elizaondo)  
Agent: Cuatro Consultants, Ltd. (Hugo Elizondo, Jr.)  
Request: Approval of the Zachary Scott Preliminary Plan composed of 1,004 lots on 270.95 acres.  
Staff Rec.: **DISAPPROVAL**  
Staff: Javier V. Delgado/John M. McDonald, 974-7648/974-7690, javier.delgado@ci.austin.tx.us; john.mcdonald@ci.austin.tx.us  
Watershed Protection & Development Review

**#27 - #36; DISAPPROVED BY CONSENT.**  
**[J.MARTINEZ, J.PINNELLI 2<sup>ND</sup>] (9-0)**

#### **DISCUSSION AND ACTION ON STREET VACATIONS**

- 37. Street Vacation:** **C10v-06-02 -**  
Request: F#8270-0512; Vacation of a portion of the alley between University and Whitis Avenues.  
Staff Rec.: **RECOMMENDED**  
Staff: Alex Papavasiliou, 974-7087, alex.papavasiliou@ci.austin.tx.us  
Public Works Department

**APPROVED STAFF'S RECOMMENDATION; BY CONSENT.**  
**[J.MARTINEZ, J.PINNELLI 2<sup>ND</sup>] (9-0)**

**Minutes**

**Urban Transportation Commission  
Tuesday, February 21, 2006; 6:00 P.M.  
505 Barton Springs Road, One Texas Center  
8<sup>th</sup> Floor Conference Room**

**Members Present:**

Michelle Brinkman  
Dana Lockler  
Andrew J. Bucknall  
Andrew W. Clements  
Joi Harden  
Carl H. Tepper  
Greg Sapire

**Members Absent:**

Patrick Goetz  
Dan Rozycki

**Public Works Staff Present:**

Patricia Lindsey  
Alex Papavasiliou  
Ed Poppitt  
David Magana

Ms. Brinkman opened the Urban Transportation Commission meeting at 6:10 p.m.

**A. Citizens Communications**

Mr. Martin Thomen, with the Skyview Neighborhood Association, signed up to speak. He discussed a pedestrian and bike only bridge that goes over Waller Creek between Skyview Road and links to Guadalupe Street. The neighborhood would like the asphalt drive area coming off of Guadalupe Street torn up and would like a green way extended from the bridge to Guadalupe Street, to link with the bike lane that is currently on Guadalupe Street.

Mr. Thomen said the Neighborhood Association wants to make this area more accessible to pedestrians and do not want to come off the bridge into an asphalt area where people park. They also do not want it to be an official City of Austin park. The Skyview Neighborhood Association would like it to be a neighborhood green way.

Mr. Thomen stated that his Neighborhood Association is currently applying for a Keep Austin Beautiful grant and feel they are going to get the grant. They are willing to bring the grant money along with personal money from the neighborhood residents to get this started.

Mr. Tepper asked if the commission could take action on this issue. Ms. Brinkman told him no, but we could if he wanted to put this on a future agenda. Ms Brinkman asked Mr. Thomen had he thought about a vacation of right-of-way. Mr. Thomen said that they had thought about that, but the state can buy the land if they vacate it. Mr. Clements said that the

adjacent property owner would have to have first interest in purchasing it. The City of Austin is to the north and Department of Public Safety is to the south. Mr. Clements said the Department of Public Safety has the right to the half-way point and if the City of Austin is the property owner to the north, they would have the right to purchase the other half. The City of Austin is the owner of this asphalt slab.

Ms. Brinkman said we have more questions than answers here. We could go ahead and place this on the agenda next month hoping that we have all the answers or we can give him a little more time. Ms. Brinkman told Mr. Thomen that she suggest that when he gets a plan and hopefully an agreement from all players involved, including the state, and if you are working with staff and they feel there is an issue that needs to be brought to us, they can get it set on our agenda. There might not be an issue if there is no vacation of the right-of-way, so there might not be any reason for us to take any action on it.

**B. F#8270-0512 Vacation of a portion of the alley between University and Whitis Avenues**

Mr. Alexander Papavasiliou, Property Agent with Real Estate Services with the Public Works Department, was the staff member who processed the application for vacation from the University of Texas. Ms. Brinkman wanted to know if there were any issues or opposition to this request. Mr. Papavasiliou stated that they received two letters of opposition, and one of the letters was retracted. The letter that was not retracted was issued by Terrance Keel. He wanted to go on record voicing his opposition and to leave it at that.

Mr. Sapire wanted to know if there was anyone present representing the University of Texas. Mr. Papavasiliou told him that Mr. Jim Wilson, Director of Campus Real Estate, University of Texas at Austin, was there and as far as he knew there were no opponents to the vacation at the meeting. Mr. Wilson said that they were there to ask this commission to recommend the alley be vacated. The alley is limited to one block that is between Martin Luther King Jr. Boulevard and West 20<sup>th</sup> Street.

Mr. Wilson said they want to build a new university residential teaching facility. The University is one of the very few major universities in this country that does not have a facility of this nature. The Business School is the only business school in the top twenty that does not have a residential conference center where they can teach professional education programs. They have acquired the entire block from Whitis Avenue, University Avenue, Martin Luther King Jr. Boulevard and West 20<sup>th</sup> Street. The only thing they do not own in that area is the alley itself. They purchased all but one lot, which was donated to the University. They do not plan on expanding past the boundaries described above.

Mr. Wilson then asked Mr. Will Shepherd, the Project Manager for the Executive Education and Conference Center with The University of Texas, to come up and answer some questions. Mr. Shepherd gave the commission a description of the project stating it is a very complex project that will provide a residential learning center, conference center and parking garage on the campus. The parking garage will be three levels of below-grade parking for the facility.

Mr. Shepherd stated it is designed primarily to support continuing education programs. It will also serve as a parking facility for the southwest quadrant of the campus. One of the reasons they are asking for the vacation of the alley is they are no longer pursuing the half block to the west, which means the parking facility has to go beneath the building.

Mr. Lockler wanted to know if this facility is to be used to train teachers in every discipline or one particular school. Mr. Shepherd stated that you could call it post graduate education, for people that have their second professional degree and want to continue their education.

Ms. Brinkman wanted to know what the plan is, assuming the vacation is approved. She said she understands you were not looking to build on that space, but it is necessary to have it vacated for purposes of the underground parking. Mr. Wilson told her that they do need the space to build on. When they decided not to go to the west it became very necessary to utilize this area for construction.

Mr. Tepper said that he cuts through UT on his bicycle often and he has to get off his bike and walk a lot. He wanted to know if people have been complaining about the construction.

Mr. Martin Thomen, citizen, stated he is a University of Texas student and also wanted to discuss the problems bicyclists have getting across campus. Mr. Thomen stated he rides his bike through campus often and he also uses this alleyway. He thinks it is a good plan to make the alley more pedestrian orientated.

Ms. Brinkman stated her concern is that this is a school and she feels that within the campus, pedestrians and bicycles should be a priority. She would also like to see a lot of campus roads closed to vehicles.

Mr. Lockler wanted to know if they knew what percentage of the capacity of the building would be serving traffic that is generated by the building. Mr. Shepherd stated generally speaking about two hundred spaces will be for hotel use and about four hundred spaces will be for campus use. There will be a lot of overlap depending on the season and what classes are in session. Mr. Lockler stated the garage will be absorbing some of the traffic which is now causing some of the problems.

Motion by: Greg Sapire  
Seconded by: Andrew Clements

Motion: To approve the vacation of the alley between University and Whitis Avenues.

Ayes: Brinkman/Lockler/Bucknall/Clements/Harden/Sapire/Tepper  
Nays: None  
Abstain: None  
Absent: Goetz/Rozycki

**C. Cost Benefit Analysis of Having City Crews Handle Small Construction Projects**

Mr. Ed Poppitt, Engineer with the Street and Bridge Division, was present to discuss this issue. He said he discussed this briefly with Mr. Goetz and he did not know if the commission wanted him to carry on this discussion without Mr. Goetz. Ms. Brinkman told him to continue.

Mr. Poppitt distributed a handout detailing the pros and cons of Street and Bridge taking over some of the small construction projects. He stated they have discussed this with their Assistant Director and with David Magana, Division Manager of Street and Bridge.

APRIL 5, 2005                      JOB NO. 727-13                      FIELD NOTE NO. 727-03R1  
CLIENT: THE UNIVERSITY OF TEXAS AT AUSTIN                      PROJECT: ALLEY  
OUTLOT 20

EXHIBIT "A"

CITY OF AUSTIN  
TO  
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
(PARTIAL ALLEY VACATION)

FIELD NOTES

A DESCRIPTION OF 0.1645 ACRE (7164 SQUARE FEET) OF LAND BEING A PORTION OF A TWENTY (20) FOOT WIDE ALLEY (WHITIS AVENUE ALLEY) LOCATED IN OUTLOT 20, DIVISION D AS DEDICATED BY LOUIS HORST'S SUBDIVISION OF OUTLOTS IN DIVISION D AND E RECORDED IN VOLUME Z, PAGES 594 AND 613 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.1645 ACRE AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of Lot 36 of said Outlot 20 and the northwest corner of that certain tract of land conveyed to the Board of Regents of the University of Texas System by deed recorded in Document No. 2003201724 of the Official Public Records of said county, being the intersection of the south right-of-way (R.O.W.) line of West 20<sup>th</sup> Street, a 70 foot wide R.O.W., and the east line of said alley;

THENCE along the east lines of said alley, the west lines of Lots 32 through 36 of said Outlot 20 and the west lines of those certain tracts of land conveyed to the Board of Regents of the University of Texas System by deeds recorded in said Document No. 2003201724, Document No.2005051151, Document No.2005151200 and Parcel 2, described in Document No.2005197088 all of the said Official Public Records the following two (2) courses:

1. S03°44'22"W, 140.03 feet to a Mag nail found for the southwest corner of said Lot 35, the northwest corner of said Lot 34, the southwest corner of said tract described in Document No. 2003201724 and the northwest corner of said tract described in Document No. 2005051151, and
2. S03°53'31"W, at 94.94 feet pass a 1-1/4 inch iron rod found for the southwest corner of said tract described in Document No. 2005151200 and the northwest corner of said Parcel 2, continuing for a total distance of 223.70 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for the northwest corner of that certain 386 square feet of land conveyed to the City of Austin for street purposes by deed recorded in Volume

12027, Page 1520 of the Real Property Records of said county and the southwest corner of said Parcel 2;

THENCE, departing the east line of said alley, the west line of said Lot 32 and the west line of said Parcel 2, crossing said alley N73°09'17"W, 19.92 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for the northeast corner of that certain 1155 square feet of land conveyed to the City of Austin for street purposes by deed recorded in Volume 12073, Page 580 of the said Real Property Records on the east line of Lot 31 of said Outlot 20, the east line of that certain tract of land, designated Parcel 1, in said Document No.2005197088 and the west line of said alley;

THENCE along the west line of said alley, the east line of said Lot 31, the east lines of Lots 27 through 30 of said Outlot 20 and the east line of said Parcel 1, N03°44'22"E, 359.19 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for the northeast corner of said Lot 27 and the northeast corner of said Parcel 1 on the south R.O.W. line of said West 20<sup>th</sup> Street;

THENCE, departing the west line of said alley, the east line of said Lot 27 and the east line of said Parcel 1, along said south R.O.W. line S86°18'22"E, 20.00 feet to the POINT OF BEGINNING containing 0.1645 acre (7164 square feet) of land more or less.

BEARING BASIS

Brass monuments No.2 and No.98, the University of Texas at Austin's control map titled "Main Campus Benchmark System".

REFERENCES

TCAD MAP 2-1203  
AUSTIN GRID NO. J-23

FIELD NOTES REVIEWED

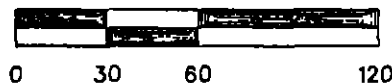
By John Moore Date 4-5-2004 S-d  
Engineering Support Section  
Department of Public Works  
and Transportation





LINE	DIRECTION	DISTANCE
L1	S69°09'29"E	21.60

W. 20TH ST.  
(70' R.O.W.)



N

S86°18'22"E

454.87

474.87

S86°15'05"E

125.03

27

POINT OF  
BEGINNING

36

BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM  
DOC. NO. 2003201724  
OPRTC

35

BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM  
DOC. NO. 2005051151  
OPRTC

34

BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM  
DOC. NO. 2005151200  
OPRTC

33

BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM  
PARCEL 2  
DOC. NO. 2005197088  
OPRTC

32

30  
OUTLOT 20, DIVISION D OF  
LOUIS HORST'S SUBDIVISION OF  
OUTLOTS IN DIVISION D AND E  
VOL. 2, PG. 594 & VOL. 2, PG. 613  
TRAVIS COUNTY TEXAS

31

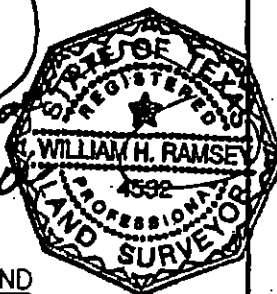
1155 SQ. FT.  
CITY OF AUSTIN  
VOL. 12073, PG. 580  
TCRPR

386 SQ. FT.  
CITY OF AUSTIN  
VOL. 12027, PG. 1520  
TCRPR

W MARTIN LUTHER KING BLVD  
(R.O.W. VARIES)

# LEGEND

- ▲ - MAG NAIL FOUND
- - 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- ⊙ - 1/8" IRON PIPE FOUND
- - BOLT FOUND
- - 5/8" IRON ROD WITH PLASTIC CAP MARKED "RPLS 4532" SET
- △ - CALCULATED POINT
- TCRPR - TRAVIS COUNTY REAL PROPERTY RECORDS
- OPRTC - OFFICIAL PUBLIC RECORDS TRAVIS COUNTY



RAMSEY LAND SURVEYING, L.L.C.

8718 SOUTHWEST PARKWAY  
P.O. BOX 92768  
AUSTIN, TEXAS 78709-2768  
PHONE (512) 301-9398  
FAX (512) 301-9395  
rlsurvey@flash.net

SKETCH TO ACCOMPANY  
FIELD NOTE NO. 727-03R1

JOB NO. 727-13

COA GRID NO. J23

MB.DGN CAR 10-17-05 REV. 11-09-05

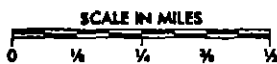
727A



CONTINUED ON MAP 584

CONTINUED ON MAP 615

CONTINUED ON MAP 586



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1801 Lavaca St, #4G  
Austin, TX 78701  
January 28, 2006

City of Austin  
Dept. of Public Works and Transportation  
Real Estate Services Division  
505 Barton Springs Road, Ste 1350  
Austin, TX 78704

Attention: Alex Papavasiliou, Property Agent  
Real Estate Services Division

Re: Objection to proposed F#8270-0512 vacation of alley between University and  
Whitis Avenues

Dear Sir:

Please accept this as notification of my objection to the proposed vacation (*F#8270-0512: Vacation of alley between University and Whitis Avenues; to be used as The University of Texas Executive Education and Conference Center*) referenced in your January 26, 2006 correspondence to surrounding property owners.

The vacation of this right-of-way is unnecessary to the project, despite representations to the contrary. The particular alley in question is also of historical significance, as it has existed for over one hundred years, including during the time the area was primarily residential.

The vacation of the alley will further impede north/south ingress and egress for pedestrian, bicycle and motor vehicle traffic traveling between Martin Luther King Jr. Boulevard to 21st Street, given that the alternatives are already at excess capacity, especially during peak attendance periods of the University of Texas or during special events. Of particular note, this proposed change would significantly reduce the available northbound alternatives of that same route, reducing it from the already-inadequate three -- down to two -- inside the area bounded by Guadalupe and Speedway, as Wichita Street has already previously been converted to one way, southbound.

Thank you for your attention to my objection to the proposed vacation of this right-of-way.

Sincerely,



Terrence Keel

